

# Exhibit 5

## (Filed Under Seal)



Deposition of:  
**Darren Hurst , M.D.**

*January 7, 2019*

In the Matter of:  
**In Re: Bard IVC Filters Products  
Liability**

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## In Re: Bard IVC Filters Products Liability

Page 227

1 lung, abscess, or hemorrhage.

2 Q. Okay. And what's the likelihood  
3 that Ms. Tinlin will experience a hemorrhage  
4 due to one of the struts in her lung?

5 A. For all of these potential  
6 complications, there's no data. There are only  
7 case reports of similar types of objects in the  
8 lungs that have caused these problems. No one  
9 has done a long-term study because it is so  
10 new.

11 Q. You previously testified that --  
12 in regard to another patient who had a strut in  
13 her lung that was retained strut that the  
14 likelihood of a hemorrhage was less than one  
15 percent. Do you agree with that today?

16 A. I think it's small. Probably -- I  
17 think it's a small -- small risk, but it's a  
18 risk, nevertheless.

19 Q. Do you think the risk is --

20 A. I don't know if we can attach a  
21 number to it. I probably should not have  
22 attached a number to it because I just don't  
23 think we know.

24 Q. Okay. So today you're not willing  
25 to attach a number to it, but you previously